

Exhibit 23

Excerpts from the Oct. 17, 2019

**Rule 30(b)(6) Deposition of
TierPoint (Jeff Russell Waide)**

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
Case No. 2:10-cv-0106-LRH-VCF

ORACLE USA, INC, a Colorado)
corporation; ORACLE AMERICA,)
INC., a Delaware corporation)
and ORACLE INTERNATIONAL)
CORPORATION, a California)
corporation,)
Plaintiffs,)
vs.)
RIMINI STREET, INC., a Nevada)
corporation; and SETH RAVIN,)
an individual,)
Defendants.)
_____)

VIDEOTAPED DEPOSITION OF JEFF RUSSELL WAIDE,
taken at 600 Fairview Road, Suite 1273,
Charlotte, North Carolina, commencing at
10:03 a.m., Thursday, October 17, 2019,
before Sandra Berkeland, Notary Public
in and for the State of North Carolina.

JOB No. 3569687

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<p>1 have knowledge that he was involved in this case. 2 Q. Did you see his deposition transcript? 3 A. No. 4 Q. How long have you been at TierPoint? 5 A. I joined April 1, 2017. Two and a half 6 years roughly. 7 Q. What's your current position? 8 A. I'm the RVP of sales for the Carolinas. 9 Q. Has that been your position since you joined 10 TierPoint? 11 A. It has. It's changed a little bit. I used 12 to work outside of the Carolinas in Tennessee, so 13 Tennessee and surrounding states out there. Same 14 title. 15 Q. Do you have an understanding as to whether 16 Rimini Street is a TierPoint customer today? 17 A. I believe they are not. They were formerly 18 a customer and we had a situation where there was 19 kind of a parent/child relationship with contracts, 20 so I believe some of the children still exist but 21 I -- I believe that Rimini Street is no longer a 22 TierPoint customer as of the middle of 2018, I 23 believe. 24 Q. In front of you is a document the court 25 reporter has marked as Exhibit 1817. Please take a Page 10</p>	<p>1 THE WITNESS: My understanding is that some 2 of the, what is referred to here as child accounts, 3 still exist. I don't have an answer as to how many 4 that would be. 5 BY MR. RODRIGUEZ: 6 Q. Next sentence, "We had tried an exercise to 7 break these out, but I don't believe it was ever 8 fully completed." 9 What does it mean to break out a child 10 account? 11 MR. WHITTAKER: Objection. Lacks foundation. 12 Calls for speculation. 13 THE WITNESS: To break these out would be, 14 you know, the way that our contracts would work, we 15 have, as I explained earlier, a parent account and 16 several children underneath that could have, you 17 know -- could be making use of the same master 18 agreement, so terms and conditions, et cetera. 19 What it means to break these out would be the 20 parents may no longer want to have a contract with 21 TierPoint, and we would -- we would separate out the 22 children accounts to deal directly with us. 23 BY MR. RODRIGUEZ: 24 Q. So what happens -- could you explain to me 25 how the terms are allocated between a parent, a Page 12</p>
<p>1 moment to familiarize yourself with it and let me 2 know when you're comfortable. 3 A. Yeah. I browsed this document prior to 4 today as well. 5 Q. What is it? 6 A. It's a string of emails from within our 7 company. One of the reps inside of here used to 8 report to me, Brad Dillard. So some correspondence 9 in here from -- emails from folks at our company. 10 Q. You said Brent Dillard (sic). I see a Brad 11 Dillard. 12 A. Sorry. I meant Brad. Sorry about that. 13 Q. That's okay. Now on page two there is an 14 email from Bradley Dillard. It says, Sent 15 Wednesday, June 13, 2018, 11:06 a.m. 16 A. Uh-huh. 17 Q. Do you see where I am? 18 A. Yes. 19 Q. The first sentence says, "Careful with this 20 one. We still have about ten child Rimini Street 21 accounts and I believe all assets are tied to the 22 main Rimini Street account." 23 Is it true today that TierPoint still has 24 about 10 child Rimini Street accounts? 25 MR. WHITTAKER: Objection. Lacks foundation. Page 11</p>	<p>1 master account, and a child account agreement? 2 MR. WHITTAKER: Objection. Vague. 3 THE WITNESS: So, a parent we would see, you 4 know, we would see a parent account in -- I'll give 5 you an example like a government such account where 6 the government may have shared services or they 7 create an account with us, negotiate the master 8 agreement, the terms and conditions that would be in 9 place for that account. And if they had state 10 agencies, they could also use or utilize the master 11 agreement, but they -- they're separate operating 12 entities, if you will, so we tend to use it in that 13 sense. 14 BY MR. RODRIGUEZ: 15 Q. And was the Rimini Street customer parent/ 16 child relationship the same as what you just 17 described? 18 A. When I arrived at TierPoint, I believe that 19 to be the case, yes. 20 Q. When a child account is broken out, what 21 happens to the master services agreement that was 22 previously associated with that child account? 23 A. Typically, that child agreement or child 24 customer would assume the master agreement that was 25 in place. There could be negotiations that happen. Page 13</p>

<p>1 referring to a master agreement?</p> <p>2 BY MR. RODRIGUEZ:</p> <p>3 Q. What makes up an agreement between TierPoint</p> <p>4 and a customer?</p> <p>5 MR. WHITTAKER: Same objection.</p> <p>6 THE WITNESS: I mean, it would be a master</p> <p>7 agreement and sales order. It also, you know, prior</p> <p>8 to generating these documents, we would go through a</p> <p>9 lengthy proposal period and we'd have a schematic or</p> <p>10 a drawing of what the services would be, and at that</p> <p>11 time it's obviously laid out between us and the</p> <p>12 customer, whether it's a private or public or</p> <p>13 multi-tenant cloud type of arrangement.</p> <p>14 But again, our engineer -- our engineer</p> <p>15 could probably look at this, because they're the</p> <p>16 ones who create this, and again, because I'm not</p> <p>17 familiar with this particular customer, I don't --</p> <p>18 I don't have a view into if this is dedicated or</p> <p>19 not. It looks to me like it's dedicated, but I</p> <p>20 would -- I would want to review it with an engineer</p> <p>21 who created this.</p> <p>22 MR. RODRIGUEZ: Let's mark the next exhibit.</p> <p>23 THE WITNESS: I'll also say again in looking</p> <p>24 at the pricing for this, I would assume it's a</p> <p>25 multi-tenant agreement. The monthly fee is a</p> <p style="text-align: right;">Page 26</p>	<p>1 larger document. There was a bunch of email</p> <p>2 exchanges. Again, probably quickly scanned through</p> <p>3 it but not intimately familiar with this.</p> <p>4 Q. Do you have an understanding as to who</p> <p>5 MOSAIC is?</p> <p>6 A. I do not.</p> <p>7 Q. I'd like to focus on the first email on the</p> <p>8 first page from Shelly Leyden. Wednesday,</p> <p>9 August 21st, 2019, 10:31 AM. Did I get that right?</p> <p>10 A. Yes.</p> <p>11 Q. What does the table in this email depict?</p> <p>12 MR. WHITTAKER: Objection. Calls for</p> <p>13 speculation.</p> <p>14 THE WITNESS: To me, this table would depict</p> <p>15 the administrative rights in our portal system for</p> <p>16 those who would have access to certain things.</p> <p>17 BY MR. RODRIGUEZ:</p> <p>18 Q. And the second paragraph, last sentence,</p> <p>19 the, quote, A in the below list represents who has</p> <p>20 admin rights. What are admin rights?</p> <p>21 A. Again, this is -- an engineer would be much</p> <p>22 more familiar. To me, administrative rights in the</p> <p>23 system would be a person who works for a customer of</p> <p>24 ours who would have rights to change or make</p> <p>25 modifications to certain rights that their employees</p> <p style="text-align: right;">Page 28</p>
<p>1 thousand dollars and a typical private cloud</p> <p>2 infrastructure would be much more than that.</p> <p>3 BY MR. RODRIGUEZ:</p> <p>4 Q. Can you give me a range, generally?</p> <p>5 A. I mean, I would say anything over the kind</p> <p>6 of ten to 15,000 a month would be a general comment</p> <p>7 of a private infrastructure that we would set up.</p> <p>8 Anything under that in the, you know, hundreds to</p> <p>9 thousands would typically be a multi-tenant</p> <p>10 arrangement.</p> <p>11 (Court Reporter marks 8/21/19 Email Chain</p> <p>12 Exhibit 1819.)</p> <p>13 MR. RODRIGUEZ: The court reporter has marked</p> <p>14 as Exhibit 1819 a document ending in with Bates No.</p> <p>15 TIERPOINT3-SUB-00000059.</p> <p>16 BY MR. RODRIGUEZ:</p> <p>17 Q. Mr. Waide, have you seen Exhibit 1819 before</p> <p>18 this morning?</p> <p>19 A. I don't have the exhibit in front of me.</p> <p>20 Q. I'm sorry. I got ahead of the court</p> <p>21 reporter.</p> <p>22 A. No problem.</p> <p>23 Q. Mr. Waide, have you seen Exhibit 1819 prior</p> <p>24 to this morning?</p> <p>25 A. I think this is probably included in a</p> <p style="text-align: right;">Page 27</p>	<p>1 would have in our system.</p> <p>2 So, for example, if somebody wants to enter</p> <p>3 our data center, they have to be assigned that right</p> <p>4 in our portal before we would let them enter or come</p> <p>5 into our data center.</p> <p>6 Somebody with administrative rights would be</p> <p>7 able to set up those people who are able to do that.</p> <p>8 So usually I'll call it the quarterback of the</p> <p>9 TierPoint account on the customer side, if you will.</p> <p>10 Q. Is the table on the first page of 1819, the</p> <p>11 sort of table that is available in what you just</p> <p>12 described as the portal?</p> <p>13 MR. WHITTAKER: Objection. Lacks foundation.</p> <p>14 THE WITNESS: Yeah. I'm not -- again, I</p> <p>15 manage a sales team. I don't get too involved with</p> <p>16 the portal. To me, this looks like something that</p> <p>17 has come out of our portal but I can't say a hundred</p> <p>18 percent.</p> <p>19 BY MR. RODRIGUEZ:</p> <p>20 Q. The far right column of the table has a</p> <p>21 series of letters. Are you familiar with the</p> <p>22 letters and the format of them?</p> <p>23 A. I am not.</p> <p>24 Q. Are you familiar with the administrative</p> <p>25 rights that are assigned to Rimini customer</p> <p style="text-align: right;">Page 29</p>

1 STATE OF NORTH CAROLINA
2 COUNTY OF MECKLENBURG

3 REPORTER'S CERTIFICATE

4 I, Sandra Berkeland, Shorthand Reporter and
5 Notary Public in and for the State of North
6 Carolina, do hereby certify that there came before
7 me on Thursday, the 17th day of October, 2019, the
8 person hereinbefore named, who was by me duly sworn
9 to testify to the truth and nothing but the truth of
10 his knowledge concerning the matters in controversy
11 in this cause; that the witness was thereupon
12 examined under oath, the examination reduced to
13 typewriting under my direction, and the deposition
14 is a true record of the testimony given by the
15 witness.

16 I further certify that I am neither attorney
17 or counsel for, nor related to or employed by, any
18 attorney or counsel employed by the parties hereto
19 or financially interested in the action.

20 IN WITNESS WHEREOF, I have hereto set my hand,
21 this the 31st day of October, 2019.

22
23 

24 Sandra Berkeland, Notary Public
25 Notary Number: #201323800050